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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,806	10/10/2003	Ross S. Dando	303.865USI	2161
21186	7590 03/07/2006		EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH			FULLER, ERIC B	
1600 TCF TC 121 SOUTH	OWER EIGHT STREET		ART UNIT	PAPER NUMBER
MINNEAPO	LIS, MN 55402		1762	
			DATE MAILED: 03/07/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

			/				
	Application No.	Applicant(s)					
	10/683,806	DANDO ET AL.					
Office Action Summary	Examiner	Art Unit					
	Eric B. Fuller	1762	:				
The MAILING DATE of this communication ap Period for Reply	ppears on the cover sheet v	vith the correspondence address -	-				
A SHORTENED STATUTORY PERIOD FOR REPLANT WHICHEVER IS LONGER, FROM THE MAILING IDENTIFY TO THE MAILING IDENTIFY THE MAILING IDENTIFY TO THE MAILING IDENTIFY THE MAILING IDENT	DATE OF THIS COMMUN.  .136(a). In no event, however, may a d will apply and will expire SIX (6) MC tte, cause the application to become a	IICATION.  a reply be timely filed  ONTHS from the mailing date of this communica ABANDONED (35 U.S.C. § 133).					
Status		f					
1)⊠ Responsive to communication(s) filed on 23 i	December 2005.						
2a) This action is <b>FINAL</b> . 2b) ⊠ Th	•						
3) Since this application is in condition for allow	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under	Ex parte Quayle, 1935 C.	D. 11, 453 O.G. 213.					
Disposition of Claims							
4)⊠ Claim(s) <u>1-28</u> is/are pending in the applicatio	n.						
	4a) Of the above claim(s) <u>26-28</u> is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-25</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/	or election requirement.						
Application Papers							
9) ☐ The specification is objected to by the Examir	ier.						
10) The drawing(s) filed on is/are: a) □ ac	cepted or b) objected to	by the Examiner.					
Applicant may not request that any objection to the	e drawing(s) be held in abeya	ance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the corre	ction is required if the drawin	g(s) is objected to. See 37 CFR 1.12	.1(d).				
11) The oath or declaration is objected to by the E	Examiner. Note the attache	ed Office Action or form PTO-152	·••				
Priority under 35 U.S.C. § 119	•						
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of:	n priority under 35 U.S.C.	§ 119(a)-(d) or (f).					
1. Certified copies of the priority documer							
2. Certified copies of the priority documer		<del></del>					
3. Copies of the certified copies of the pri	•	n received in this National Stage					
application from the International Bure	, , , , , , , , , , , , , , , , , , , ,	A an actional					
* See the attached detailed Office action for a lis	st of the certified copies no	it received.					
Attachment(s)							
1) Notice of References Cited (PTO-892)		v Summary (PTO-413) o(s)/Mail Date					
<ol> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date 1.</li> </ol>		Informal Patent Application (PTO-152)					
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### **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10, 11, and 13-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Rose (US 4,543,486).

Rose teaches a method of photolytic CVD in which the laser frequency is chosen so that it excites the reaction gases which then react and deposit on the substrate (column 4, lines 20-25). Since the frequency is chosen such that it excites the gas, this reads on the frequency being tuned to an absorption frequency of the gas precursor. Column 5, lines 20-60, and column 7, lines 3-32, read on the limitations of the dependent claims, including the raster scanning, laser array, and diode lasers.

Claims 1, 2, 5-11, 13, and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Schachameyer et al. (US 4,940,505).

Schachameyer teaches a method of photolytic CVD in which the wavelength of the laser is chosen according to the adsorption peaks of the precursor gases (column 2, 30-35). Setting the wavelength is the same as setting the frequency, as the speed of light is constant. The abstract and column 3, lines 21-49, teach that specific bonds of

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the precursor is broken and this causes decomposition and deposition. All other limitations are taught in column 4, lines 30-61.

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rose (US 4,543,486) in view of the applicant's admitted prior art.

Rose teaches the limitations above, but is silent to the method being used in an ALD process. However, the applicant admits on page 8, lines 7-13, that ALD is a widely known process that is a type of CVD process. To use photolytic laser of the CVD process taught by Rose in an ALD process would have been obvious at the time the invention was made to a person having ordinary skill in the art. By doing so, one would have a reasonable expectation of success, as the applicant has admitted that it is known that ALD is a type of CVD process.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schachameyer et al. (US 4,940,505) in view of the applicant's admitted prior art.

Schachameyer teaches the limitations above, but is silent to the method being used in an ALD process. However, the applicant admits on page 8, lines 7-13, that ALD

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is a widely known process that is a type of CVD process. To use photolytic laser of the CVD process taught by Rose in an ALD process would have been obvious at the time the invention was made to a person having ordinary skill in the art. By doing so, one would have a reasonable expectation of success, as the applicant has admitted that it is known that ALD is a type of CVD process.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Fuller whose telephone number is (571) 272-1420. The examiner can normally be reached on Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Meeks, can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

EBF

UPERVISORY PATENT EXAMINER